

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *[Signature]* D.C.

05 MAY 11 AM 6:46

OLEN M. BAILEY, JR., Individually
TERESA W. BAILEY, Individually; THE
BAILEY LAW FIRM, A Professional
Corporation; and OLEN M. BAILEY, JR.
and TERESA W. BAILEY as Successors
of UNBORN BAILEY BABY GIRL,

ROBERT W. MAGLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

Plaintiffs,

VS.

NO. 04-2395 DP

DECK - White Station Tower, LLC;
DECK - White Station Manager, LLC;
KAUFMAN PROPERTIES, INC.;
KAUFMAN REALTY GROUP, LLC;
TRAMMEL CROW COMPANY, P.C.,
INC.; SANITORS, INC.; and JOHN/JANE
DOES, Individually

Defendants and Third-Party Plaintiff

VS.

D.L. SCHMITZ WATERPROOFING &
RESTORATION COMPANY, INC., and
KERMIT B. BUCK & SON, INC.,

Third-Party Defendants.,

Defendants.

**CONSENT ORDER GRANTING DEFENDANT KAUFMAN PROPERTIES, INC. AND
KAUFMAN REALTY GROUP, LLC'S MOTION FOR PARTIAL SUMMARY
JUDGMENT**

IN THIS CAUSE, it appearing to the Court that the Defendants' Motion for Partial
Summary Judgment as to the claim concerning Unborn Bailey Baby Girl be granted and that the
claim is hereby dismissed with prejudice.

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IT IS THEREFORE ORDERED ADJUDGED AND DECREED that Defendants' Motion for Partial Summary Judgment be granted by consent of Plaintiffs and Defendants Kaufman Properties, Inc. and Kaufman Realty Group, LLC and that Plaintiffs' claim related to Unborn Bailey Baby Girl is hereby dismissed with prejudice.

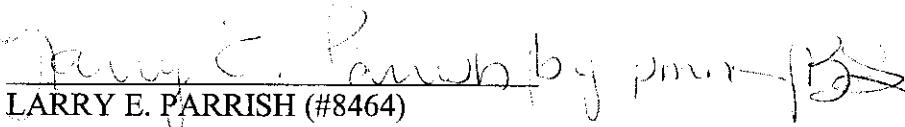


JUDGE
DATE: 5-11-2005

APPROVED BY:



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CERTIFICATE OF SERVICE

I, James B. Summers, do hereby certify that a copy of the foregoing Motion was forwarded, via U.S. Mail, postage prepaid, on this the 5th day of May, 2005, to the following:

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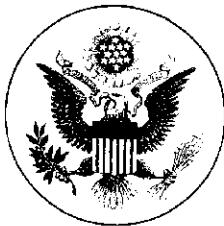
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JAMES B. SUMMERS



Notice of Distribution

This notice confirms a copy of the document docketed as number 58 in case 2:04-CV-02395 was distributed by fax, mail, or direct printing on May 11, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT